

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 CASE NO.:

DORIS VERLEASE JONES

19-13080-JDW

TRUSTEE'S RESPONSE TO MOTION TO MODIFY PLAN

COMES NOW Locke D. Barkley, Chapter 13 Trustee, (the "Trustee") by and through counsel, and files this response to the Debtor's Motion to Modify Chapter 13 Plan After Confirmation (Dkt. #24) (the "Motion"); and in support thereof states as follows:

1. The Chapter 13 Plan was confirmed by Order of this Court entered on November 5, 2019, for a term of sixty (60) months (the "Confirmed Plan") (Dkt. #15). The Confirmed Plan does not provide for payment to nonpriority unsecured claims.

2. Based upon the schedules and statements filed by the Debtor, her household consists of herself and her son.

3. The Confirmed Plan includes payment of two claims each secured by a separate vehicle.

4. Modifying the plan to include a third vehicle while paying nothing to nonpriority unsecured creditors would result in the proposed modification which would not meet the requirement of §1325(a)(3), which is required by §1329(b)(1).

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that upon notice and hearing that this Court enter its order denying the Motion and for such other relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: March 24, 2020

Respectfully submitted,

LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE

By: /s/ W. Jeffrey Collier
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CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: March 24, 2020

/s/ W. Jeffrey Collier
W. JEFFREY COLLIER